

Office of the Standing Chapter 13 Trustee
Thomas D. Powers, Trustee
125 E. John Carpenter Freeway, Suite #1100
Irving, TX 75062
(214) 855-9200 / (214) 965-0756 (Fax)

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

In Re:

Case #: 08-36278-HDH-13
Hearing Date: 10/15/2009

CARMEN ADRIANA DE LA TORRE

**Notice of Pre-Hearing Conference and Hearing on Trustee's Recommendation Concerning
Claims, Objection to Claims and Plan Modification (if required)**

To: ALL PARTIES IN INTEREST

A pre-hearing conference with the Chapter 13 Trustee concerning the Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) ("TRCC") will be held at 8:30 a.m. on 10/15/2009 at 125 E. John Carpenter Freeway, Suite #1100, Irving, Texas 75062.

Any objection to the Pleading not resolved or defaulted at the Trustee's pre-hearing conference will be heard by the Court at 2:00 p.m. on the same day at 1100 Commerce Street, Fourteenth Floor, Dallas Texas.

Pursuant to General Order 2006-01 Section 8(c), unless an objection is timely filed as to the treatment of any claim or modification, the claim or modification will be allowed or approved as described in the TRCC, and such treatment will be final and binding on all parties.

TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, FILED WITH THE COURT, AND A COPY SERVED ON ANY AFFECTED CREDITORS AND ON THE FOLLOWING PARTIES NO LATER THAN 08/29/2009.

Debtor: CARMEN ADRIANA DE LA TORRE, 101 SUNBIRD LANE, SUNNYVALE TX, 75182
Attorney: LAW OFFICE OF AREYA HOLDER PC, 800 W AIRPORT FREEWAY, SUITE 540, IRVING TX 75062
Court: Clerk's Office, US Bankruptcy Court, 1100 Commerce St, 12th Floor, Dallas, Tx 75202
Trustee: Trustee's Office, 125 E. John Carpenter Freeway, Suite #1100, Irving, TX 75062

/s/ Thomas D. Powers
Thomas D. Powers, Trustee
State Bar No. 16218700

Debtor:
CARMEN ADRIANA DE LA TORRE
101 SUNBIRD LANE

SUNNYVALE TX 75182

08-36278-HDH-13
CARMEN ADRIANA DE LA TORRE

Certificate of Service

I hereby certify that a copy of the "Notice of Hearing on Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required)" and "Trustee's Recommendation Concerning Claims and Plan Modification (if required)" was served on the following parties at the addresses listed below by United States First Class mail or via electronic mail.

Debtor(s): CARMEN ADRIANA DE LA TORRE, 101 SUNBIRD LANE, SUNNYVALE TX, 75182

Attorney: LAW OFFICE OF AREYA HOLDER PC, 800 W AIRPORT FREEWAY, SUITE 540, IRVING TX 75062

Creditors: ATTORNEY GENERAL OF TEXAS, COLLECTIONS DIV-BANKRUPTCY SEC, PO BOX 12548, AUSTIN TX, 78711-2548

INTERNAL REVENUE SERVICE, PO BOX 21125, PHILADELPHIA PA, 19114

MARLING INC, CO STEVEN H PHELPS P L L C, 10000 CENTRAL EXPWY NO850 LB76, DALLAS TX, 75231-1075

STATE COMPTROLLER, REVENUE ACCOUNTING DIV BANKRUP, PO BOX 13528, AUSTIN TX, 78711

TEXAS ALCOHOLIC BEVERAGE COMM, LICENSES AND PERMITS DIVISION, PO BOX 13127, AUSTIN TX, 78711-3127

TEXAS EMPLOYMENT COMMISSION, TEC BUILDING BANKRUPTCY, 101 EAST 15TH STREET, AUSTIN TX, 78714-9080

U S DEPARTMENT OF HUD, 801 CHERRY STREET UNIT, SUITE 2500, FT WORTH TX, 76102

UNITED STATES ATTORNEY, 801 CHERRY STREET, UNIT 4, FORT WORTH TX, 76102-6882

LINEBARGER GOGGAN BLAIR SAMPSON, 2323 BRYAN ST, 1720 UNIVISION CENTER, DALLAS TX, 75201-2644

INTERNAL REVENUE SERVICE, PO BOX 21125, PHILADELPHIA PA, 19114

ASPIRE VISA, PO BOX 84078, COLUMBUS GA, 31908

AT AND T, 2321 N UNIVERSITY, LUBBOCK TX, 79415

CAPITAL ONE, PO BOX 60599, CITY OF INDUSTRY CA, 91716

CHASE, PO BOX 64886, ST PAUL MN, 55164

JP MORGAN CHASE BANK NA, CHASE AUTO FINANCE, PO BOX 901032, FT WORTH TX, 76101-2032

CHRYSLER FINANCIAL, PO BOX 9001921, LOUISVILLE KY, 40290

CONN APPLIANCES INC, PO BOX 2358, BEAUMONT TX, 77704

COUNTRYWIDE, PO BOX 650070, DALLAS TX, 75265

DEAN MARTINEZ, PO BOX 400, ROY UT, 84067

DIRECT TV, PO BOX 78626, PHOENIX AZ, 85062-8626

HOME DEPOT, PO BOX 6028, THE LAKES NV, 88901-6028

JAMES WOOD, 133 N INDUSTRIAL BLVD LB 19, DALLAS TX, 75207

M AND T BANK, PO BOX 1288, BUFFALO NY, 14240

MACYS, PO BOX 6938, THE LAKES NV, 88901-6938

MARLING INC, 10000 N CENTRAL EXPWY, SUITE 850 LB 76, DALLAS TX, 75231

ORTHODONTICS FOR INFANTS, PO BOX 35408, DALLAS TX, 75235

POOL WORD REMODELING, 3301 N TOWN EAST BLVD NO 140, MESQUITE TX, 75150

RELIANT ENERGY, PO BOX 1409, HOUSTON TX, 77251-1409

SILVERLEAF RESORTS, 1221 RIVERBEND DR NO 120, , DALLAS TX, 75247

SPRING GREEN LAWN SERVICES, 626 E LINDA DRIVE, GARLAND TX, 75041

STANLEY F SEAT P C, PO BOX 117692, CARROLTON TX, 75011

STANLEY F SEAT P C, 5000 QUORUM DR SUITE 440, DALLAS TX, 75254

CAPITAL ONE, PO BOX 60599, CITY OF INDUSTRY CA, 91716

INTERNAL REVENUE SERVICE, PO BOX 21125, PHILADELPHIA PA, 19114

INTERNAL REVENUE SERVICE, PO BOX 21126, PHILADELPHIA PA, 19114

M AND T BANK, PO BOX 1288, BUFFALO NY, 14240

CONN APPLIANCES INC, PO BOX 2358, BEAUMONT TX, 77704

SUNNYVALE ISD, 2323 BRYAN STREET SUITE 1600, DALLAS TX, 75201

CITY OF SUNNYVALE, 2323 BRYAN STREET SUITE 1600, , DALLAS TX, 75201

IRVING ISD, 2323 BRYAN STREET SUITE 1600, , DALLAS TX, 75201

COUNTY OF DALLAS, CO LINEBARGER GOGGAN BLAIR, 2323 BRYAN STREET SUITE 1600, DALLAS TX, 75201-2644

BASSEL AND WILCOX P L L C, PO BOX 11509, FORT WORTH TEXAS, 76110
JEFFERSON CAPITAL SYSTEMS LLC, RJM ACQUISITIONS LLC, PO BOX 7999, SAINT CLOUD MN, 56302-9617
JEFFERSON CAPITAL SYSTEMS LLC, RJM ACQUISITIONS LLC, PO BOX 23051, COLUMBUS GA, 31902-3051
JPMORGAN CHASE BANK NA, CHASE AUTO FINANCE CORP, 201 N CENTRAL AVE AZ1 1191, PHOENIX AZ, 85004
BASSEL AND WILCOX PLLC, PO BOX 11509, , FORT WORTH TX, 76110-0509
MEE MEE HOGE AND EPPERSON PLLP, 50 PENN PLACE, 1900 NW EXPRESSWAY STE 1400, OKLAHOMA CITY OK, 73118
BAYVIEW LOAN SERVICING LLC, 4425 PONCE DELEON BLVD, 5TH FLOOR, CORAL GABLES FL, 33146
COUNTY OF DALLAS, CO LINEBARGER GOGGAN BLAIR, 2323 BRYAN STREET SUITE 1600, DALLAS TX, 75201-2644
SILVERLEAF RESORTS, 1221 RIVERBEND DR NO 120, , DALLAS TX, 75247
TEXAS MUTUAL INSURANCE COMPANY, 203 EAST MAIN AVE, , ROUND ROCK TX, 78664
BAYVIEW LOAN SERVICING LLC, 4425 PONCE DELEON BLVD, 5TH FLOOR, CORAL GABLES FL, 33146

Date: 07/30/2009

By: /s/ Thomas D. Powers

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

In Re:

CARMEN ADRIANA DE LA TORRE

Case #: 08-36278-HDH-13

Dated: 07/30/2009

TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND
PLAN MODIFICATION (if required)

The Trustee hereby objects to the following claims for the reason(s) indicated, pursuant to Bankruptcy Rule 3007:

I.

OBJECTION -- NO PROOF OF CLAIM FILED

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The "bar date" for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

<u>Trustee Claim #</u>	<u>Creditor's Name</u>	<u>Scheduled Amount</u>
0003	MARLING INC	\$ 261,061.20
0006	TEXAS EMPLOYMENT COMMISSION	\$ 43,967.90
0011	ASPIRE VISA	\$ 699.07
0012	AT AND T	\$ 269.69
0013	CAPITAL ONE	\$ 736.99
0014	CHASE	\$ 49.27
0016	CHRYSLER FINANCIAL	\$ 30,672.64
0018	COUNTRYWIDE	\$ 87,869.34
0019	DEAN MARTINEZ	\$.00
0020	DIRECT TV	\$ 908.13
0021	HOME DEPOT	\$ 737.46
0024	MACYS	\$ 319.64
0026	ORTHODONTICS FOR INFANTS	\$ 1,800.00
0027	POOL WORK REMODELING	\$ 1,400.00
0030	SPRING GREEN LAWN SERVICES	\$ 1,080.00
0032	STANLEY F SEAT P C	\$ 950.00
0033	CAPITAL ONE	\$ 482.18

II.

SPECIFIC OBJECTIONS

The Trustee hereby objects to the following claims, for the reason(s) indicated in Column 6. The claims should be ALLOWED/DISALLOWED as indicated in Column 3 for the amount and class indicated in Columns 4 and 5 respectively.

None

III.

TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in class listed below.

T'ee						
Clm #	DSO Creditors		Claim			Paid By
	None					
T'ee						
Clm #	No Cram Down	Collateral	Claim	Value	%	Paid By
	None					
T'ee						
Clm #	Secured Creditors	Collateral	Claim	Value	%	Paid By
0015	JP MORGAN CHASE BANK NA	03 CHEVY SUBURBAN	\$ 12,769.50	\$ 12,769.50	6.00	Trustee
0017	CONN APPLIANCES INC	ELECTRONICS/FURNITUR	\$ 1,460.00	\$ 1,280.00	.00	Surrender
0029	SILVERLEAF RESORTS	TIMESHARE	\$ 7,691.06	\$ 18,000.00	.00	Surrender
0038	SUNNYVALE ISD	REAL PROPERTY	\$ 6,185.55	\$ 451,500.00	.00	Surrender
0039	CITY OF SUNNYVALE	REAL PROPERTY	\$ 1,706.50	\$ 451,500.00	.00	Surrender
0040	IRVING ISD	REAL PROPERTY	\$ 1,319.64	\$ 94,870.00	.00	Surrender
0041	COUNTY OF DALLAS	REAL PROPERTY	\$ 390.54	\$ 84,690.00	.00	Direct by Debtor
0049	BAYVIEW LOAN SERVICING LLC	HOMESTEAD/ARREARS	\$ 4,944.82	\$ 84,690.00	.00	Trustee
0050	BAYVIEW LOAN SERVICING LLC	HOMESTEAD/CURRENT	\$ 85,119.66	\$ 84,690.00	.00	Direct by Debtor
0051	COUNTY OF DALLAS	REAL PROPERTY	\$ 2,602.57	\$ 451,500.00	.00	Surrender
0052	COUNTY OF DALLAS	REAL PROPERTY	\$ 546.86	\$ 94,870.00	.00	Surrender
0053	COUNTY OF DALLAS	REAL PROPERTY	\$ 2,024.35	\$ 351,190.00	.00	Surrender
0054	SILVERLEAF RESORTS	TIMESHARE	\$ 20,329.64	\$ 20,329.64	.00	Direct by Debtor
0056	BAYVIEW LOAN SERVICING LLC	POST PET ARREARS	\$ 7,147.83	\$ 84,690.00	.00	Trustee
T'ee						
Clm #	Priority Creditors	Comment	Claim	Paid By		
	None					

T'ee					
Clm #	Unsecured - Special Class	Claim		Paid By	
	None				
T'ee					
Clm #	Unexpired Leases	Collateral	Claim	Value	%
	None				

T'ee				T'ee			
Clm #	Unsecured Creditors	Comm	Clm Amount	Clm#	Unsecured Creditors	Comm	Clm Amount
0010	INTERNAL REVENUE SERVICE		\$ 1,206.09	0017	CONN APPLIANCES INC	Def.	\$ 180.00
0028	RELIANT ENERGY		\$ 2,971.71	0034	INTERNAL REVENUE SERVICE	Penalty	\$ 674.05
0037	CONN APPLIANCES INC		\$ 223.75	0045	JEFFERSON CAPITAL SYSTEMS LLC		\$ 588.05
0055	TEXAS MUTUAL INSURANCE COMPANY		\$ 284,134.00				

IV.

Plan Modification, subject to feasibility

Pursuant to 11 U.S. C. Section 1329, and in accordance with General Order 2006-01 Section 8, the Trustee requests the following Modification of Debtor's(s)' Confirmed Plan, subject to feasibility, herein:

X No Modification Needed.

Respectfully submitted,

/s/ Thomas D. Powers

Thomas D. Powers/Trustee
State Bar #1628700
Office of the Chapter 13 Trustee